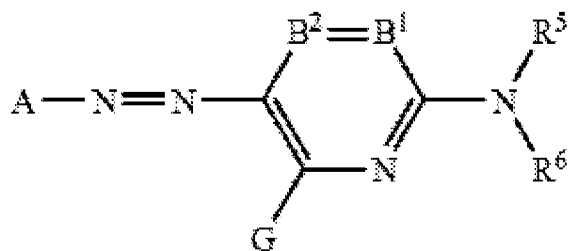


REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: This application teaches an ink composition consisting essentially of: (1) at least water, (2) at least one member selected from the group consisting of an azo compound represented by Formula (1) and salts thereof:

Formula (1):



wherein A represents a residue of a 5-membered heterocyclic diazo component A-NH₂; B¹ and B² each represents -CR¹= and -CR²=, or either one of B¹ and B² represents a nitrogen atom and the other represents -CR¹= or -CR²=; R⁵ and R⁶ each independently represents H, an aliphatic group, an aromatic group, a heterocyclic group, an acyl group, an alkoxycarbonyl group, an aryloxycarbonyl group, a carbamoyl group, an alkylsulfonyl group, an arylsulfonyl group or a sulfamoyl group, and each group may further have a substituent; G, R¹ and R² each independently represents H, a halogen atom, an aliphatic group, an aromatic group, a heterocyclic group, a cyano group, a carboxyl group, a carbamoyl group, etc., and each group may be further substituted; and R¹ and R⁵, or R⁵ and R⁶ may combine to form a 5- or 6-membered ring, and (3) at

Art Unit: 1793

least one member selected from the group consisting of an aromatic compound having a carboxyl group or salt thereof. The only remaining rejection is a provisional obviousness-type double patenting rejection over copending application SN 10/951,446 (US 2005/0115459), which claims a similar ink composition comprising an azo dye of the formula as claimed by applicants and additionally requires the inclusion of a dye of the formula (2) and optionally a dye of the formula (3). Applicants have now amended the claims to include the language "consisting essentially of" so as to limit the scope of the claims to the specified materials (i.e. the azo dyes of Formula (1)) and those that do not materially affect the basic and novel characteristics of the claimed invention.

Applicants argue that the copending application SN 10/951,446 does not teach or fairly suggest that the addition of the dye of formula (2) to the ink composition of the instant claims would result in an ink composition of even better lightfastness and gas fastness. Therefore, it is the examiner's position that the addition of the dye of formula (2) as required by the claims of SN 10/951,446 would materially affect the basic and/or novel characteristics of the instant claims and the provisional obviousness-type double patenting rejection is overcome. Accordingly, this application is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helene Klemanski/
Primary Examiner, Art Unit 1793